

REMARKS

Claims 1-13 and 16 are now pending in the application. Claim 16 is new. Claims 14 and 15 have been canceled without prejudice solely for the purpose of entering claim 16 after a final office action. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Furukawa (U.S. Pat. No. 6,243,022) in view of Campbell et al. (U.S. Pat. No. 2002/0067245). This rejection is respectfully traversed.

Furukawa in view of Campbell allegedly teaches a processor for a receiver that "must reference memory to determine what functions are present." According to the Office Action, this teaching is equivalent to a processor determining if preselected features are compatible with the one command as claimed.

It is a longstanding rule that to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 143 (CCPA 1974), see MPEP §2143.03. The claimed processor (determining if the preselected features are compatible with the one command) includes processor functions analyzing the command for compatibility with the preselected features. In contrast, the Furukawa processor merely appears to be activating a specific function in response to a specific signal (through memory) - no compatibility determination is made.

The claimed compatibility determination provides information that may be, for example, supplied to inform the user that the requested function is not available. No such information is generated in Furukawa or Campbell. Further, because of the compatibility determination, one key fob may be manufactured for multiple vehicle platforms having a variety of features activatable by the key fob. Furukawa and Campbell do not include key fobs with features not included in the specific vehicle and therefore suggest only vehicles with differing features requiring different or modified key fobs. Furukawa and Campbell are not directed to a single type of key fob for use with multiple types of vehicles as are the Applicants. (See Page 2, Lines 8-9.) Therefore, there is no reason for Furukawa or Campbell to generate a compatibility determination.

Accessing a memory, as is allegedly suggested by Furukawa, does not require making a compatibility determination; it merely involves choosing a particular memory section having particular information. Further, Campbell makes no mention of a compatibility determination as claimed. Thus, Furukawa and Campbell, either alone or in combination fail to disclose or suggest all the elements of the claimed invention. The Applicants therefore believe that claims 1 and 7 are new and nonobvious because the claims and the prior art differ. Claims 2-6 and 8-13 depend from claims 1 and 7 and are believed to be allowable for at least the reasons set forth above.

Further, the Applicants add claim 16 to recite that the result information (as in claim 4) includes an indication that a requested function could not be executed and a reason the requested function could not be executed. Neither Furukawa nor Campbell, either alone or in combination, disclose or suggest this limitation.

According to the Office Action, Furukawa discloses a fob device that may receive result information from the vehicle. This "result information" merely includes acknowledging receipt of command messages and indicating completion of command functions. (Column 3, Lines 30-35.) Furukawa does not disclose or suggest that the result information indicate a reason a requested function could not be executed. Campbell also does not disclose or suggest result information providing a reason the requested function could not be executed. The new claim and the prior art therefore differ, and are believed to be allowable for at least this additional reason.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at 248-944-6519.

Respectfully submitted,

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